

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

\_\_\_\_\_ District of \_\_\_\_\_

Case number (if known): \_\_\_\_\_

Chapter you are filing under:

- ☐ Chapter 7  
☐ Chapter 11  
☐ Chapter 12  
☒ Chapter 13

**FILED**

**RELIEF ORDERED**

**2018 NOV -5 PM 1:44**

CLERK U.S. BANKRUPTCY COURT  
 NORTHERN DISTRICT OF OHIO  
 CANTON

☐ Check if this is an amended filing

**Official Form 101**

**Voluntary Petition for Individuals Filing for Bankruptcy**

12/17

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be *yes* if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Identify Yourself**

**About Debtor 1:**

**About Debtor 2 (Spouse Only in a Joint Case):**

**1. Your full name**

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

Thomas  
 First name  
Patrick  
 Middle name  
Wickoxon  
 Last name  
 \_\_\_\_\_  
 Suffix (Sr., Jr., II, III)

\_\_\_\_\_  
 First name  
 \_\_\_\_\_  
 Middle name  
 \_\_\_\_\_  
 Last name  
 \_\_\_\_\_  
 Suffix (Sr., Jr., II, III)

**2. All other names you have used in the last 8 years**

Include your married or maiden names.

\_\_\_\_\_  
 First name  
 \_\_\_\_\_  
 Middle name  
 \_\_\_\_\_  
 Last name  
 \_\_\_\_\_  
 First name  
 \_\_\_\_\_  
 Middle name  
 \_\_\_\_\_  
 Last name  
 \_\_\_\_\_

\_\_\_\_\_  
 First name  
 \_\_\_\_\_  
 Middle name  
 \_\_\_\_\_  
 Last name  
 \_\_\_\_\_  
 First name  
 \_\_\_\_\_  
 Middle name  
 \_\_\_\_\_  
 Last name  
 \_\_\_\_\_

**3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)**

XXX - XX - 6907  
 OR  
 9 XX - XX - \_\_\_\_\_

XXX - XX - \_\_\_\_\_  
 OR  
 9 XX - XX - \_\_\_\_\_

Debtor 1

Thomas Patrick Coleaxon  
 First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**About Debtor 1:****4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years**

Include trade names and doing business as names

☒ I have not used any business names or EINs.

Business name \_\_\_\_\_

Business name \_\_\_\_\_

EIN \_\_\_\_\_

EIN \_\_\_\_\_

**About Debtor 2 (Spouse Only in a Joint Case):**☐ I have not used any business names or EINs.

Business name \_\_\_\_\_

Business name \_\_\_\_\_

EIN \_\_\_\_\_

EIN \_\_\_\_\_

**5. Where you live**

3825 34th St NW  
 Number Street

Canton Oh 44705  
 City State ZIP Code

Stark  
 County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

Number Street

P.O. Box

City State ZIP Code

**If Debtor 2 lives at a different address:**

Number Street

City State ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number Street

P.O. Box

City State ZIP Code

**6. Why you are choosing this district to file for bankruptcy**

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)

Check one:

☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)

Debtor 1

Thomas Patrick Wilcoxson  
 First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**Part 2: Tell the Court About Your Bankruptcy Case****7. The chapter of the Bankruptcy Code you are choosing to file under**

Check one. (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy* (Form 2010)). Also, go to the top of page 1 and check the appropriate box.

- ☐ Chapter 7  
☐ Chapter 11  
☐ Chapter 12  
☒ Chapter 13

**8. How you will pay the fee**

☐ I will pay the entire fee when I file my petition. Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.

☒ I need to pay the fee in installments. If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).

☐ I request that my fee be waived (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

**9. Have you filed for bankruptcy within the last 8 years?**☐ No

☒ Yes. District Steele When 11/17/2017 Case number 17-62623  
 MM / DD / YYYY  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY

**10. Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?**☒ No

☐ Yes. Debtor \_\_\_\_\_ Relationship to you \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_  
 MM / DD / YYYY  
 Debtor \_\_\_\_\_ Relationship to you \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_  
 MM / DD / YYYY

**11. Do you rent your residence?**☒ No. Go to line 12.

☒ Yes. Has your landlord obtained an eviction judgment against you?

☐ No. Go to line 12.

☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Debtor 1

Thomas Patrick Wilcoxson  
 First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**Part 3: Report About Any Businesses You Own as a Sole Proprietor****12. Are you a sole proprietor of any full- or part-time business?**☒ No. Go to Part 4.☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

ZIP Code \_\_\_\_\_

Check the appropriate box to describe your business:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))☐ None of the above**13. Are you filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor?**

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☐ No. I am not filing under Chapter 11.☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.☐ Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code.**Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention****14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?**☒ No☐ Yes. What is the hazard? \_\_\_\_\_

If immediate attention is needed, why is it needed? \_\_\_\_\_

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

Where is the property? \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

ZIP Code \_\_\_\_\_

Thomas Pedrick Wilcoxson  
 First Name Middle Name Last Name

**Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling**
**15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

**About Debtor 1:**

You must check one:

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☒ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ I am not required to receive a briefing about credit counseling because of:

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

**About Debtor 2 (Spouse Only in a Joint Case):**

You must check one:

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ I am not required to receive a briefing about credit counseling because of:

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1

Thomas Robert Wilcoxson  
 First Name Middle Name Last Name

Case number (# known) \_\_\_\_\_

**Part 6: Answer These Questions for Reporting Purposes****16. What kind of debts do you have?****16a. Are your debts primarily consumer debts?** *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

- ☐ No. Go to line 16b.  
☒ Yes. Go to line 17.

**16b. Are your debts primarily business debts?** *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.

- ☒ No. Go to line 16c.  
☐ Yes. Go to line 17.

**16c.** State the type of debts you owe that are not consumer debts or business debts.**17. Are you filing under Chapter 7?**☒ No. I am not filing under Chapter 7. Go to line 18.

Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?

- ☐ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?
- ☐ No  
☐ Yes

**18. How many creditors do you estimate that you owe?**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000   | <input checked="" type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99           | <input type="checkbox"/> 5,001-10,000  | <input type="checkbox"/> 50,001-100,000           |
| <input type="checkbox"/> 100-199         | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000        |
| <input type="checkbox"/> 200-999         |  |   |

**19. How much do you estimate your assets to be worth?**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000                  | <input type="checkbox"/> \$1,000,001-\$10 million    | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input checked="" type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million   | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000           | <input type="checkbox"/> \$50,000,001-\$100 million  | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million         | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion        |

**20. How much do you estimate your liabilities to be?**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million    | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000      | <input type="checkbox"/> \$10,000,001-\$50 million   | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000     | <input type="checkbox"/> \$50,000,001-\$100 million  | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million   | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion        |

**Part 7: Sign Below****For you**

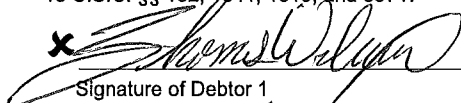
I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

  
 Signature of Debtor 1

Executed on 11/5/2018  
 MM / DD / YYYY

x

Signature of Debtor 2

Executed on \_\_\_\_\_  
 MM / DD / YYYY

Debtor 1

Thomas Patrick Wilcoxson  
First Name Middle Name Last Name

Case number (# known)

**For your attorney, if you are represented by one**

**If you are not represented by an attorney, you do not need to file this page.**

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

**X**

Signature of Attorney for Debtor \_\_\_\_\_ Date \_\_\_\_\_  
MM / DD / YYYY

Printed name \_\_\_\_\_

Firm name \_\_\_\_\_

Number Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Contact phone \_\_\_\_\_ Email address \_\_\_\_\_

Bar number \_\_\_\_\_ State \_\_\_\_\_



Debtor 1

Thomas Patrick Wilcoxson  
 First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**For you if you are filing this bankruptcy without an attorney**

**If you are represented by an attorney, you do not need to file this page.**

The law allows you, as an individual, to represent yourself in bankruptcy court, but **you should understand that many people find it extremely difficult to represent themselves successfully. Because bankruptcy has long-term financial and legal consequences, you are strongly urged to hire a qualified attorney.**

To be successful, you must correctly file and handle your bankruptcy case. The rules are very technical, and a mistake or inaction may affect your rights. For example, your case may be dismissed because you did not file a required document, pay a fee on time, attend a meeting or hearing, or cooperate with the court, case trustee, U.S. trustee, bankruptcy administrator, or audit firm if your case is selected for audit. If that happens, you could lose your right to file another case, or you may lose protections, including the benefit of the automatic stay.

You must list all your property and debts in the schedules that you are required to file with the court. Even if you plan to pay a particular debt outside of your bankruptcy, you must list that debt in your schedules. If you do not list a debt, the debt may not be discharged. If you do not list property or properly claim it as exempt, you may not be able to keep the property. The judge can also deny you a discharge of all your debts if you do something dishonest in your bankruptcy case, such as destroying or hiding property, falsifying records, or lying. Individual bankruptcy cases are randomly audited to determine if debtors have been accurate, truthful, and complete. **Bankruptcy fraud is a serious crime; you could be fined and imprisoned.**

If you decide to file without an attorney, the court expects you to follow the rules as if you had hired an attorney. The court will not treat you differently because you are filing for yourself. To be successful, you must be familiar with the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the local rules of the court in which your case is filed. You must also be familiar with any state exemption laws that apply.

Are you aware that filing for bankruptcy is a serious action with long-term financial and legal consequences?

☐ No  
☒ Yes

Are you aware that bankruptcy fraud is a serious crime and that if your bankruptcy forms are inaccurate or incomplete, you could be fined or imprisoned?

☐ No  
☒ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out your bankruptcy forms?

☒ No

☐ Yes. Name of Person \_\_\_\_\_

Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119).

By signing here, I acknowledge that I understand the risks involved in filing without an attorney. I have read and understood this notice, and I am aware that filing a bankruptcy case without an attorney may cause me to lose my rights or property if I do not properly handle the case.

x Thomas Wilcoxson  
 Signature of Debtor 1

Date

11/5/2018  
 MM / DD / YYYY

Contact phone

330-880-1563

Cell phone

330-880-1563

Email address

ThomasWilcoxson180@gmail.com

x

Signature of Debtor 2

Date

\_\_\_\_\_  
 MM / DD / YYYY

Contact phone

Cell phone

Email address



Jeffrey L. Koberg  
Attorney at Law  
25651 Detroit Rd  
Westlake, OH 44145

John F Anthony II Esq  
Stark County Prosecutor's Office  
110 Central Plaza S  
Canton, OH 44702

LoanMax  
2361 Columbus Rd NE  
Canton, OH 44705

Mercy Medical Center  
PO Box 951082  
Cleveland, OH 44193

Montrose Lincoln Mercury  
3960 Medina Rd  
Akron, OH 44333

Ohio Bureau of Motor Vehicles  
Attn: Revenue Management  
PO Box 16521  
Columbus, OH 43216

Ohio Bureau of Motor Vehicles  
1970 W. Broad St  
Columbus, OH 43216

Portfolio Recovery Associates  
PO Box 12914  
Norfolk, VA 23541

Speedy Cash  
PO Box 780408  
Wichita, KS 67278

Stark County Treasurer  
110 Central Plaza S, Suite 250  
Canton, OH 44702

Alfred McCallin  
Attorney at Law  
116 Cleveland Ave NW #500  
Canton, OH 44702

American Electric Power  
PO Box 24404  
Canton, OH 44701

Aultman Hospital  
PO Box 80868  
Canton, OH 44708

Aultman Physicians Center  
PO Box 80690  
Canton, OH 44708

Capital One  
PO Box 6492  
Carol Stream, IL 60197

Clerk-Canton Municipal Court  
c/o CBSC Inc  
PO Box 2818  
North Canton, OH 44720

CSE Federal Credit Union  
1380 Market Ave N  
Canton, OH 44714

Directv  
PO Box 60197  
Carol Stream, IL 60197

Eagle Loan Co of Ohio  
1901 Whipple Ave NW  
Canton, OH 44708

Fifth Third Bank  
PO Box 740789  
Cincinnati, OH 45274

Glenbeigh Business Office  
PO Box 74060  
Cleveland, OH 44194

Time Warner Cable/Spectrum  
PO Box 0901  
Carol Stream, IL 60132

William W. Emley Sr  
Attorney at Law  
4518 Fulton Rd NW  
Canton, OH 44735

Zoca Loans  
27565 Research Pk Dr  
Mission, SD 57555

Dominion energy ohio  
p.o.box 26785  
richmond,VA 23261-6785

CANTON CITY UTILITIES  
PO BOX 9955  
CANTON OH 44711-0955

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION



**ATTENTION**  
**ALL DEBTORS FILING BANKRUPTCY WITHOUT AN ATTORNEY**

Did you pay someone to help you prepare your bankruptcy petition and schedules? If so, please be aware of the following:

1. By law, the person who offered to help you is only permitted to provide you with very limited services such as:
  - giving you copies of blank bankruptcy forms;
  - telling you where the bankruptcy court is located, its hours of operation and how much it costs to file for bankruptcy;
  - typing on your petition and schedules information that you have handwritten on those forms; and
  - making copies of your completed bankruptcy petition and schedules.
2. By law, the person who offered to help you must do ALL of the following:
  - sign your bankruptcy petition;
  - print his / her name and address on your bankruptcy petition;
  - place on your bankruptcy petition an identifying number (*i.e.* his / her social security number) to identify the individual who prepared the document; and
  - file a declaration stating any fees received.
3. Whether or not someone helped you to prepare your bankruptcy petition and schedules, **YOU ARE PERSONALLY RESPONSIBLE** for the accuracy and completeness of all the information provided.

For example, if you are filing bankruptcy to stop a foreclosure sale of your home, all of your debts - and not just the debt to the mortgage company - must be listed in your schedules.

4. If you fail to completely and accurately list all required information, you jeopardize your chance to receive a bankruptcy discharge and you could ultimately have criminal charges filed against you. *If the information on your bankruptcy petition and schedules is not complete and accurate, you must amend those documents prior to filing or as soon as possible thereafter.*

[PLEASE COMPLETE THE INFORMATION ON THE FOLLOWING PAGE]

NAME of DEBTOR(S): \_\_\_\_\_

Did you pay someone to help you prepare your bankruptcy petition and schedules? NO

If so, what is that person's name? \_\_\_\_\_

What is the person's address and phone number? \_\_\_\_\_

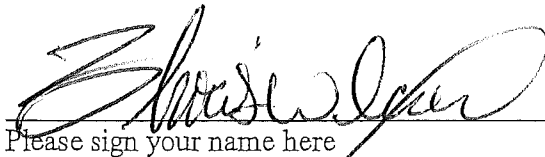
\_\_\_\_\_

\_\_\_\_\_

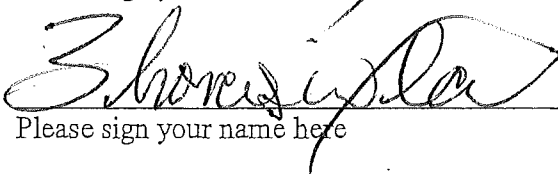
Website address? \_\_\_\_\_

Email address? \_\_\_\_\_

How much did you pay for the help provided? \$ \_\_\_\_\_

  
Please sign your name here

11/5/2018  
Date

  
Please sign your name here

11/5/2018  
Date

A copy of this completed form will be placed in your bankruptcy file and  
may be provided to the trustee administering your bankruptcy case  
and / or the United States Trustee.

YOU SHOULD KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦

For Internal Use Only:

(1) Was there adequate BPP disclosure on the petition? \_\_\_\_\_ YES \_\_\_\_\_ NO

(2) Did debtor(s) pay filing fees in full? \_\_\_\_\_ YES \_\_\_\_\_ NO

If you answer "no" to either question please  
send this form to the Judge for review.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CANTON DIVISION  
Ralph Regula U.S. Courthouse  
401 McKinley Avenue S.W.  
Canton, OH 44702

Judge Russ Kendig

Teresa D. Underwood, Clerk of Court

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NOTICE TO DEBTORS AND CREDITORS NOT REPRESENTED BY AN  
ATTORNEY

General Issues

While an individual person or a husband and wife may file a bankruptcy petition without being represented by an attorney, the clerk's office is unable to give legal advice concerning your case. While an individual creditor may participate in a case without being represented by an attorney, the clerk's office is unable to give legal advice to creditors concerning a case.

You are entitled to the same treatment as parties represented by attorneys. Attorneys are expected to know what to do and how to do it. The clerk's office and court cannot tell them and cannot tell you. Attorneys who fail to follow the proper procedures have their requests disregarded or denied. You will be treated with the same standard, no better and no worse.

The court will not consider letters. Any request is by motion or adversary proceeding, either of which must be filed and served on appropriate parties and some of which require filing fees. If filed and served appropriately, the court will consider your motion based upon your stated legal grounds. The court cannot consider what you should have done or what you "really meant." You may or may not be entitled to a hearing depending upon what you file.

Meeting of Creditors

Approximately three weeks after debtors file a bankruptcy petition, debtors and creditors receive a copy of a notice for the meeting of creditors from the clerk's office. The meeting of creditors is an opportunity for the trustee and any creditors who appear to ask questions regarding financial affairs. Debtors must appear at this meeting. If a husband and wife file a joint petition, they both must appear. If you are a debtor and have a problem with appearing at this meeting, contact your trustee. This meeting is set by the United States Trustee, not by the bankruptcy court. Therefore, do not file requests to continue or change

(See continued text on following page)

the date of the meeting with the court. ***FAILURE TO APPEAR AT THE MEETING OF CREDITORS SHALL RESULT IN YOUR CASE BEING DISMISSED.***

#### **Change of Address**

Debtors and creditors must notify the clerk's office in writing of any mailing address change. Debtors also need to notify the trustee. Failure to do so may result in legal action being taken without notice. When sending anything to the court, include your name and the bankruptcy case number.

#### **Case Name and Number**

When filing any papers with the court, the case name must be in the upper left hand corner and the bankruptcy case number must be in the upper right hand corner.

#### **Communications with the Court**

If you are having a problem, it is NOT possible to communicate in person or by telephone with the bankruptcy judge. If you need to seek any relief from the court, you must file a written motion specifying the relief you seek. The matter may be set for hearing before the judge. The clerk's office cannot assist you with any problems you might have with any of your creditors. This office cannot act on your behalf in any dispute you might have with a creditor.

#### **Legal Advice**

***THE CLERK'S OFFICE MAY NOT GIVE YOU LEGAL ADVICE.*** Any questions as to what should be done, how it should be done, or when it should be done constitute legal advice. The bankruptcy code and rules are available at many libraries and websites free of charge. The local bankruptcy rules are available to copy in the clerk's office or at [www.ohnb.uscourts.gov](http://www.ohnb.uscourts.gov). The local rules only supplement the code and rules. If you have any legal questions concerning your bankruptcy case or your legal rights, you will need to consult an attorney. The Stark County Bar Association has a Lawyer Referral Service. Call 330-453-0686 for information about consulting an attorney.



## Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

- You are an individual filing for bankruptcy, and
- Your debts are primarily consumer debts. *Consumer debts* are defined in 11 U.S.C. § 101(8) as “incurred by an individual primarily for a personal, family, or household purpose.”

### The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under one of four different chapters of the Bankruptcy Code:

- Chapter 7 — Liquidation
- Chapter 11— Reorganization
- Chapter 12— Voluntary repayment plan for family farmers or fishermen
- Chapter 13— Voluntary repayment plan for individuals with regular income

You should have an attorney review your decision to file for bankruptcy and the choice of chapter.

### Chapter 7: Liquidation

	\$245	filing fee
	\$75	administrative fee
+	\$15	trustee surcharge
	\$335	total fee

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their non-exempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law. Therefore, you may still be responsible to pay:

- most taxes;
- most student loans;
- domestic support and property settlement obligations;

- most fines, penalties, forfeitures, and criminal restitution obligations; and
- certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

- fraud or theft;
- fraud or defalcation while acting in breach of fiduciary capacity;
- intentional injuries that you inflicted; and
- death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A-2).

If your income is above the median for your state, you must file a second form—the *Chapter 7 Means Test Calculation* (Official Form 122A-2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

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## Chapter 11: Reorganization

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	\$1,167	filing fee
+	\$550	administrative fee
	\$1,717	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

## Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

### Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$75	administrative fee
	\$275	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

### Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$75	administrative fee
	\$310	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts.

### **Warning: File Your Forms on Time**

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:  
<http://www.uscourts.gov/bkforms/bankruptcy-forms.html#procedure>.

### **Bankruptcy crimes have serious consequences**

- If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.
- All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

### **Make sure the court has your mailing address**

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

### **Understand which services you could receive from credit counseling agencies**

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days *before* you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from:

[http://ustice.gov/ust/ao/hapcpa/ccode/cc\\_approved.html](http://ustice.gov/ust/ao/hapcpa/ccode/cc_approved.html).

In Alabama and North Carolina, go to:  
<http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyResources/ApprovedCreditAndDebtCounselors.aspx>.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.

# Filing Requirements

The following filing requirements apply to any person or entity wishing to file a document with this Court.

## Latest Revision: September 22, 2014

Those filing without the assistance of an attorney (pro se parties) are advised that forms and time frame requirements will be difficult to follow and may result in problems in processing the case. Moreover, federal law prohibits employees of the Bankruptcy Court Clerk's Office from providing legal advice to the public.

1. The following documents will not be accepted for filing, unless otherwise authorized:
  1. A petition not accompanied by the proper filing fee (Local Bankruptcy Rule 1002-1);
    1. Acceptable forms of payment include cash, money order or cashier's check made payable to Clerk, U.S. Bankruptcy Court.
    2. Personal checks and credit cards are not acceptable.
    3. The Clerk's Office does not provide change; therefore, the exact payment due must be remitted.
  2. A petition presented for filing on behalf of a person or entity subject to an order enjoining such person or entity from filing the petition (Local Bankruptcy Rule 1002-1);
  3. Any facsimile (fax) transmission (Local Bankruptcy Rule 5005-1(b)).
2. Failure to comply with the following requirements may, at the discretion of the Court, result in the issuance of a Notice of Filing Deficiency, an Order to Appear and Show Cause, or a document not being accepted for filing:

Except as otherwise provided, all documents presented for filing by the following persons or entities must be filed electronically through the Court's Electronic Case Filing System:

1. Documents Filed in Paper Format
  1. For a bankruptcy petition or adversary complaint filed in paper format, the debtor or plaintiff, or counsel for debtor or plaintiff, must appear in person at the appropriate Clerk's Office to file the petition or complaint.
  2. When appearing at the Clerk's Office, the debtor or plaintiff must provide sufficient identification, which includes a current driver's license, government ID card, passport, or state-issued ID card.
  3. If co-debtors or co-plaintiffs intend to file a joint case, both codebtors or co-plaintiffs (husband and wife) must be present at the Clerk's Office.
  4. An exception to the above requirements will be permitted if the debtor or plaintiff has executed a power of attorney. In such cases the holder of the power of attorney may file the petition or complaint on behalf of the debtor or plaintiff after presenting the power of attorney document and sufficient identification at the Clerk's Office.
  5. All documents presented for filing or lodging in paper format:
    1. Must be printed, typewritten, or hand printed in ink on 8½ x 11 inch white paper;
    2. Must be prepared on only one side of the document. No duplex or double-sided printing will be accepted, and;
    3. Must not be pre-punched. (Local Bankruptcy Rule 5005-1(a))
2. Documents Filed Electronically
  1. Attorneys
  2. Trustees
  3. ECF-registered creditors
  4. ECF-registered professional persons
  5. Creditors not represented by an attorney who file more than 25 proofs of claim in any 12-month period. (Local Bankruptcy Rule 5005-4(a); ECF Administrative Procedures Manual, Section I A 2; Notice to Attorneys Concerning Paper Filings)
3. List of Creditors (Mailing Matrix): Filings in Paper Format

Unless otherwise ordered by the Court, all petitions filed in paper format must be accompanied by a list of creditors listing creditors and parties in interest. Lists of creditors must comply with the following technical standards:

1. Each address must not exceed 5 lines of type.
2. Each list of creditors page must be prepared showing creditors in a single column no closer than 1½ inches from any edge.
3. Each line of type must not exceed 40 characters.
4. Addresses must not contain account numbers or other internal creditor identifying codes.
5. The last line within each address must show only the city, state, and zip code.
6. Only two-letter state abbreviations must be used.



7. Lists of creditors must be submitted in a font supported by the Bankruptcy Noticing Center (BNC), which includes Courier (Regular, Bold, Oblique, and Bold Oblique), Helvetica (Regular, Bold, Oblique, and Bold Oblique), Arial (Regular, Bold, Italic, and Bold Italic), Times (Regular, Bold, Italic, and Bold Italic), Times New Roman (Regular, Bold, Italic, and Bold Italic), Symbol, and ZapfDingbats. (Local Bankruptcy Rule 1007-2(b)(2))
4. List of Creditors (Mailing Matrix): Electronic Filings
  1. Attorneys filing new petitions or creditor amendments via electronic case filing are required to file a List of Creditors with the petition or amendment and upload creditor mailing data as part of the electronic filing procedure in accordance with the ECF Administrative Procedures Manual (Local Bankruptcy Rule 1007-2(b)(1)).
5. Local and National Forms

Except as otherwise provided, the following documents must be submitted on forms available from the Clerk:

1. Requests for unclaimed funds (Local Bankruptcy Rule 3011-1)
  2. Motions for relief from stay (Local Bankruptcy Rule 4001-1(a))
  3. Motions for abandonment of property (Local Bankruptcy Rule 6007-1)
  4. Cover sheets for adversary proceedings for complaints that are not filed electronically (Local Bankruptcy Rule 7003-1)
  5. Requests for a Court order for money to be deposited by the Clerk into an interest-bearing account (Local Bankruptcy Rule 7067-1(a))
  6. Requests for a Court order for the withdrawal and disbursement of funds that have been invested by the Court (Local Bankruptcy Rule 7067-1(b))
  7. Requests for an order redacting from a Court filing any personal identifiers (Local Bankruptcy Rule 9037-1).
6. Motions, Briefs, and Memoranda of Law
  1. A motion or application tendered for filing must be accompanied by a certificate of service and a notice that any objection must be filed within a certain period of time (Local Bankruptcy Rule 9013-1(a); Local Bankruptcy Rule 9013-3).
  2. No motion or response thereto may exceed 20 pages in length, exclusive of appendices, without leave of Court. Font size, including footnotes, must be at least 12 point. Where leave is granted, a table of contents containing a summary of all points raised must be included with the brief or memorandum (Local Bankruptcy Rule 9013-2(a)).
  3. If an unreported opinion or an opinion available only through an electronic retrieval process is cited, a copy of the opinion must be attached to the brief or memorandum, and the attachment is an exception to the 20-page limitation (Local Bankruptcy Rule 9013-2(d)).
  4. A certificate of service must be appended to and served with any document tendered for filing that is required to be served (excepting any document required to be served together with a summons). The certificate of service must be signed and must:
    1. Identify, with specificity, the document served;
    2. State the date and method of service;
    3. Identify, by name and address, each entity served, and;
    4. Contain or refer to an accompanying notice. (Local Bankruptcy Rule 9013-3; Local Bankruptcy Rule 9013-1(a))
7. Rent Escrow
  1. Any deposit of rent made by a debtor or an adult dependent of the debtor under 11 U.S.C. § 362(l)(1)(B) must be in the form of a certified check, cashier's check, or money order payable to the order of the lessor.
  2. The deposit must be delivered to the Clerk along with the petition, the certification made under 11 U.S.C. § 362(l)(1)(A), and a copy of the judgment of possession. (Local Bankruptcy Rule 4001-1(b))

#### 8. Redaction Responsibility

All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; and financial account numbers, in compliance with Fed. R. Bankr. P. 9037. This requirement applies to all documents filed on the public docket, including attachments.

#### 9. Miscellaneous Requirements

Additional requirements are imposed by federal law and the rules of this Court. For more information, contact the appropriate Clerk's Office.

Local Bankruptcy Rules -- Northern District of Ohio

**Rule 2016-2 COMPENSATION OF PETITION PREPARERS**

(a) The presumptive maximum allowable fee chargeable by a bankruptcy petition preparer in any case is \$125.00.

(b) The Clerk shall give a copy of this Rule to each pro se debtor at the time a petition is presented for filing.

(c) Should a bankruptcy petition preparer in any individual case seek a determination that the value of services rendered exceeds \$125.00, the bankruptcy petition preparer shall file a motion with the Court requesting a hearing. The motion shall be filed within 14 days after the date of the filing of a petition.

(d) Any bankruptcy petition preparer who charges a fee in excess of the value of services rendered shall be subject to sanctions under 11 U.S.C. § 110, including, but not limited to, the disallowance and turnover of any fee found to be in excess of the value of services rendered.

Last revised: May 16, 2011



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CANTON OFFICE

DEBTOR ACKNOWLEDGMENT

I acknowledge that I have received a copy of the following:

Notice regarding petition preparer information to be filled out and signed by  
the debtor(s) (2 pages)

Judge Kendig's notice to debtors and creditors not represented by an attorney  
(2 pages)

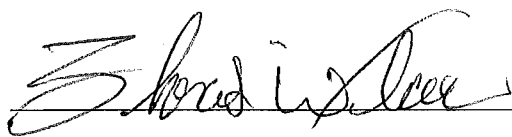
Notice Required by U.S.C. § 342(b) for Individuals Filing for Bankruptcy -  
Form 2010 (4 pages)

Filing Requirements (2 pages)

Local Bankruptcy Rule 2016-2 (1 page)

This debtor acknowledgment form (1 page)

A total of 12 pages was received by:



Date: 11/5/2018

Date: \_\_\_\_\_